

EXHIBIT 1

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FOURTEENTH JUDICIAL CIRCUIT
COUNTY OF COLLETON)	CASE NO.: 2022-CP-15-_____
)	
JOY W. COOK,)	
)	
Plaintiff,)	
)	
vs.)	SUMMONS
)	(JURY TRIAL DEMANDED)
WALMART STORES, INC. d/b/a)	
WALMART SUPERCENTER,)	
)	
Defendants.)	
)	
_____)	

TO: THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, of which a copy is herewith served upon you, and to serve a copy of your answer to said Complaint on the sub-scribed at her office at 205 East Washington Street, P. O. Box 499, Walterboro, South Carolina 29488, within thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court for the relief demanded in the Complaint, including the rendering of judgment by default against you.

December 15, 2022

/s/ Margie Bright Matthews
 Margie Bright Matthews
 South Carolina Bar No. 13200
 Bright Matthews Law Firm
 205 East Washington Street
 Post Office Box 499
 Walterboro, SC 29488
 Phone: (843) 549-6028

ATTORNEY FOR PLAINTIFF

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COUNTY OF COLLETON)	CASE NO.: 2022-CP-15-_____
)	
JOY W. COOK,)	
)	
Plaintiff,)	
)	
vs.)	COMPLAINT
)	(JURY TRIAL DEMANDED)
WALMART STORES, INC. d/b/a)	
WALMART SUPERCENTER,)	
)	
Defendants.)	
)	
_____)	

The Plaintiff above-named, complaining of the defendant herein, would respectfully show unto this Honorable Court as follows:

1. That the Plaintiff, Joy W. Cook, is a citizen and resident of the City of Walterboro, County of Colleton, State of South Carolina, and subject to the jurisdiction of this Court.
2. That the Defendant, Walmart Stores d/b/a Walmart Supermarket, Store #1358 (hereinafter Defendant Walmart), is a domestic corporation and operated under the laws of South Carolina with its principal place of business at 2110 Bells Highway, Walterboro, Colleton County, South Carolina.
3. Defendant Walmart, is a corporation incorporated under the laws of the State of South Carolina, and is licensed to do business and is engaged in doing business at 2110 Bells Highway, Walterboro, South Carolina, Colleton County.

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4. That on January 7, 2022, Plaintiff entered Defendant's store in order to purchase some landscaping products. Plaintiff injured her finger when the landscaping material fell on her hand.

5. Defendant Walmart had a duty under the common law to exercise reasonable care to protect Plaintiff from injury on the premises, which duty included the duty to make reasonable inspections to discover hazardous conditions on the premises, and to take reasonable steps to protect Plaintiff from such conditions.

6. As a direct and proximate result of her accident, Plaintiff suffered bodily injuries, all of which has caused her, and will in the future cause her, to experience much physical pain, suffering, and costs for medical services.

8. Defendant created the dangerous condition by not maintaining the employers to assist customers.

9. Defendant did, or should have had, actual and/or constructive notice and/or knowledge of the unreasonably unsafe, dangerous and/or defective condition and failed to remedy it, exercise ordinary care to keep the premises in reasonably safe condition and/or take reasonable measures to protect its invitees and/or public invitees, such as Plaintiff.

10. That the Defendant had a duty to maintain and exercise reasonable care to keep the premises in a reasonably safe condition.

11. That Defendant negligently, recklessly, intentionally, and carelessly failed to take reasonable steps to provide a reasonably safe area for customers on the day complained of and/or failed to take reasonable steps to warn the public.

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12. That Defendant, had actual and/or constructive notice of the foreseeably dangerous area, were negligent, careless, grossly negligent, reckless, willful and wanton, in the following particulars, to wit:

- (a) In stacking the timbers in a hazardous and unsafe manner;
- (b) In failing to provide assistance to customers;
- (c) In failing to take reasonable measures to protect members of the public, such as Plaintiff from foreseeable unreasonable risks;
- (d) In stacking product too high creating a dangerous condition;
- (e) In failing to take any action whatsoever in furtherance of their duty to provide a reasonably safe thoroughfare for all foreseeable users of the aisle and/or area despite actual or constructive notice of the dangerous condition of same;
- (f) In failing to exercise that reasonable degree of care and caution that a reasonably prudent municipality, state agency, or merchant and its agents would and should exercise under the same or similar circumstances.

14. All of which were a direct and proximate cause of the injuries and damages sustained by Plaintiff herein, in that all Defendant breached their duty to Plaintiff and/or were in violation of the regulations, statutes, and laws of the State of South Carolina.

15. That as the direct and proximate result of the above mentioned reckless and/or grossly negligent acts or omissions of Defendant, Plaintiff was severely injured, was subjected to medical treatment, to the administration of medications, to pain, mental anguish, suffering, and discomfort over a period of time.

16. That as a direct and proximate result of the gross negligence and/or recklessness acts or omissions of all Defendant, Plaintiff believes she is entitled to an award of, but not limited to, past, present and future actual damages sufficient to compensate her for the pain and suffering, the permanency of her injuries, the loss of enjoyment of life, mental anguish, the

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disfigurement, and her past and future medical bills, in an amount to be determined by the trier of fact.

WHEREFORE, the Plaintiff prays for judgment against the Defendant for actual damages in an amount to be determined by a jury trial for their intentional conduct; the Plaintiff also comes requesting a jury trial in this matter.

December 15, 2022

/s/ Margie Bright Matthews

Margie Bright Matthews
South Carolina Bar No. 13200
BRIGHT MATTHEWS LAW FIRM, LLC
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